



PATENTS  
103167-0002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application of:  
James C. Lu et al.

Serial No.: 09/840,658

Filed: April 23, 2001

For: System and Method for the Duplication of a Software System Onto an Appropriate Target Computer

Examiner: Not yet assigned

Art Unit: Not yet assigned

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
July 17, 2001

**EXPRESS-MAIL DEPOSIT**

“Express Mail” Mailing-Label Number: EL 705 605 095 US

The following papers are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service pursuant to 37 C.F.R. §1.10:

X Power of Attorney  
X Fee Transmittal Letter

X Formal Drawing ( 5 sheets )  
X Letter to Official Draftsman

X Oath or Declaration  
X Assignment With Recordation Form  
Cover Sheet  
X Check for \$170  
X Response to Notice to File Missing  
Parts



# FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT

(\$) 170

Complete If Known

Application Number 09/840,658  
Filing Date April 23, 2001  
First Named Inventor James C. Lu et al.  
Examiner Name Not yet assigned  
Group / Art Unit Not yet assigned  
Attorney Docket No. 103167-0002

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

03-1237

Deposit  
Account  
Name

Cesari and McKenna, LLP

- ☒ Charge Any Additional Fee Required Under 37 C.F.R. §§1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 C.F.R. §§1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code Fee (\$)

Fee Description

Fee Paid

101	710	201	35	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 0

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
20**	3**		0	0	0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code Fee (\$)

Fee Description

103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Description

Fee Paid

Fee Code Fee (\$)

105	130	205	65	Fee Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English Specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	128	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility Issue fee (or reissue)	
143	440	243	220	Design Issue fee	
144	600	244	300	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	

Other (specify)  
Other fee (specify)

SUBTOTAL (3) (\$) 170

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Typed or  
Printed Name

Martin J. O'Donnell

Signature

Date

July 17, 2001

## Complete (if applicable)

Reg. Number

24,204

Deposit Account User ID

H3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

JUL 1 2001	APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
	09/840,658	04/23/2001	James C. Lu	103167-0002

CONFIRMATION NO. 5015

## FORMALITIES LETTER



\*OC000000006187527\*

24267

CESARI AND MCKENNA, LLP  
88 BLACK FALCON AVENUE  
BOSTON, MA 02210

Date Mailed: 06/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

07/20/2001 BNGUYEN1 00000158 09840658

01 FC:105

130.00 OP

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENTS  
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In Re The Application of:	)	
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		Cesari and McKenna, LLP
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Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

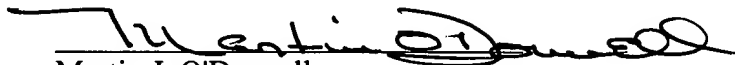
Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Enclosed in response to the Notice to File Missing Parts of Application-Filing Date Granted mailed April 23, 2001, is a Declaration for Patent Application executed by the inventors, along with a check for \$130 to cover the filing fee and surcharge for this Response. The above-referenced application filed in the Patent and Trademark Office is the application that the inventors executed by signing the enclosed Declaration.

Please charge any additional fee occasioned by this paper to our Deposit Account  
No. 03-1237.

Respectfully submitted,



Martin J. O'Donnell  
Reg. No. 24,204  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500